## IN THE UNITED STATES PATENTAND TRADEMARK OFFICE

FEB 1 6 2010

Appl. No.

: 10/829,598

Applicant

Graetz et al.

Filed

: April 22, 2004

TC/A.U.

: 1795

Examiner

: Hodge, Robert W.

For

: High-Capacity Nanostructured Germanium-Containing Materials

and Lithium Alloys Thereof

Docket No. : 27-06

Customer No.: 23713

P.O. Box 1450

Mail Stop AFTER FINAL Commissioner for Patents

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Confirmation No.: 6855

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Bobbye Sj

on February 16, 2010

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Office Action mailed August 13, 2009, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings begin on page 6 of this paper and include a replacement sheet attached following page 15 of this paper.

Remarks/Arguments begin on page 7 of this paper.

This response is being accompanied by a Request for Continued Examination and a Petition for Extension of Time.